Petition Number:	1508-DDP-14
Subject Site Address:	Northeast corner of 161st Street and Spring Mill Road
Petitioner:	Paula Gartner, EMH&T on behalf of Kroger Limited Partnership
Request:	Petitioner requests Detailed Development Plan review for a Curbside Pickup Canopy on a 0.529 acre site directly north of the existing store in the Spring Mill Station Northeast Quadrant PUD.
Current Zoning:	Spring Mill Station NE Quadrant PUD
Current Land Use:	Commercial/Vacant
Approximate Acreage:	0.529 acres+/-
Exhibits:	1. Staff Report 2. Location Map 3. Detailed Development Plan 4. Elevations 5. Landscape Plan 6. Overall Site Plan 7. Signage Plan 8. Proposed Lighting 9. Conditions
Property History:	1405-PUD-06, Rezoning to Spring Mill Station NE Quadrant PUD 1409-DP-28 & 1409-SIT-13, Fuel Station Development Plan 1410-DP-31 & 1410-SIT-14, Grocery Store Expansion Development Plan 1508-PUD-15, PUD Amendment (Pending)
Staff Reviewer:	Pam Howard, Associate Planner

PROCEDURAL

Approval of a Detailed Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT OVERVIEW

The 0.529 acre+/- site is located on the northeast corner of 161st Street and Spring Mill Road (see **Exhibit 2**). The request is for approval of a Detailed Development Plan (see **Exhibit 3**) for a Curbside Pickup Canopy directly north of the existing store in the Spring Mill Station NE Quadrant PUD.

The petition was reviewed by the Technical Advisory Committee at its July 21, 2015, meeting. This petition was properly noticed and received a public hearing at the Plan Commission's August 3, 2015, meeting.

The applicable zoning district is the Spring Mill Station NE Quadrant PUD (the "PUD"). The petitioner has also filed a request to amend the PUD (see Petition No. 1508-PUD-15) (the "PUD Amendment") with respect to incorporating the subject real estate into the PUD District, permitting the proposed use, and then establishing the applicable development and design standards. The PUD Amendment was introduced at the July 2, 2015, City Council meeting, and also recieved a public hearing at the Plan Commission's August 3, 2015, meeting.

As a result, the review comments herein include the proposed PUD Amendment standards. To the extent provisions established within the UDO conflict with the provisions of the PUD, then the provisions of the PUD shall supersede and apply.

DEVELOPMENT PLAN (Article 10.7(G) of the UDO):
The plans comply except for those items identified as outstanding below:

1) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.

2) Address and legal description of the property.

3) Boundary lines of the property including all dimensions.

4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.

5) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.

6) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.

7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.

8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.

9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.

10) Location and dimensions of all existing structures and paved areas.

11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).

12) Location of all Floodplain areas within the boundaries of the property.

13) Names of legal ditches and streams on or adjacent to the site.

14) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.

15) Identify buildings proposed for demolition.

16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.

17) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

18) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.

19) Compliance with all applicable provisions of any Overlay District in which the real estate is located.

20) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:

a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.

b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

21) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

District Standards

Spring Mill Station NE Quadrant (1405-PUD-06) – underlying General Business (GB) zoning. The plans comply, as applicable to a Detailed Development Plan, except for those items identified as outstanding below, that need addressed prior to approval:

22) Conceptual Plan

a) The Real Estate shall be developed in substantial compliance with the Conceptual Plans. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.
Comment: Plans comply pending approval of 1508-PUD-15.

23) Permitted Uses

a) The permitted use in "Area A.4" shall be a Curb Side Pickup Station.
<u>Comment:</u> Plans comply pending approval of 1508-PUD-15.

24) Setbacks/Building Separation
a) The following shall apply to "Area A.4":
i) The separation between the Curbside Pickup Station and the existing grocery store shall be at least thirty (30) feet.
ii) Side and Rear yards that abut existing residential shall be at least forty (40) feet.
<u>Comment:</u> Plans comply pending approval of 1508-PUD-15.

25) Parking
a) Article 6.14 of the UDO shall apply; however, Article 6.14(E), Stacking Requirements for Drive-Through Facilities, shall not apply.
<u>Comment:</u> Plans comply pending approval of 1508-PUD-15.

26) Landscaping and Screening
a) Article 6.8 of the UDO shall not apply; rather, landscaping and screening shall be installed in substantial compliance with Exhibit B.
<u>Comment:</u> Plans comply pending approval of 1508-PUD-15.

27) Sign Standards
<u>Comment:</u> Any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.

28) Lighting Standards
a) The District's lighting shall comply with the Zoning Ordinance (UDO Chapter 6.9).

29) Architectural and Streetscape Design Standards
a) Article 6.3 of the UDO shall not apply; however, buildings shall be developed in substantial compliance with Exhibit C.
<u>Comment:</u> Plans comply pending approval of 1508-PUD-15.

30) Underlying Zoning, GB: General Business
a) Minimum Lot Frontage: 80'
b) Minimum Building Setback Lines: Superseded by the PUD
c) Maximum Building Height: 60'

<u>DEVELOPMENT STANDARDS (Chapter 6 of UDO)</u>

The plans comply, as applicable to a Detailed Development Plan, except for those items identified as outstanding below, that need addressed prior to approval:

31) Accessory Use and Building Standards (Article 6.1)

32) Architectural Standards (Article 6.3)

a) Accessory Buildings: All Accessory Buildings shall be architecturally compatible with the Principal Building(s) with which they are associated.

33) Building Standards (Article 6.4)

34) Fence Standards (Article 6.5)

35) Height Standards (Article 6.6)

36) Landscaping Standards (Article 6.8)

37) Lighting Standards (Article 6.9)

38) Lot Standards (Article 6.10)

39) Outside Storage and Display (Article 6.12)

40) Outdoor Café and Eating Areas (Article 6.13)

41) Parking and Loading Standards (Article 6.14)

42) Setback Standards (Article 6.16)

43) Sign Standards (Article 6.17)

Comment: Any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.

44) Vision Clearance Standards (Article 6.19)

45) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply except for those items identified as outstanding below, that need addressed prior to approval:

46) Easement Standards (Article 8.3)

47) Pedestrian Network Standards (Article 8.7)

48) Street and Right-of-Way Standards (Article 8.9)

49) Surety Standards (Article 8.12)

50) Utility Standards (Article 8.13)

DEPARTMENT COMMENTS

1) The Detailed Development complies with the proposed PUD Amendment. If the Amendment is not approved, then the plans do not comply with the applicable zoning ordinance.

Recommendation:

2) Staff recommends approving the petition with the following conditions:
   a) Approval shall be contingent upon the approval of 1508-PUD-15 (the Amendment) by Council.
   b) All necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to the issuance of an improvement location permit.

3) If any Plan Commission member has questions prior to the meeting, then please contact Pam Howard at 317-531-3751 or phoward@westfield.in.gov.